

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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IN RE WESTERN STATES WHOLESALE  
NATURAL GAS ANTITRUST  
LITIGATION,

MDL Docket No. 1566  
Base Case No. 2:03-cv-01431-RCJ-PAL

THIS DOCUMENT RELATES TO:  
*ALL ACTIONS*

**ORDER**

This matter is before the court on the Xcel Defendants failure to respond to the court's Order (ECF No. 2522) denying Plaintiffs' Motion for Leave to File Under Seal (ECF No. 2499) without prejudice and instructing the designating party (or parties) to file a memorandum of points and authorities and any supporting declaration or affidavit to make a particularized showing as to why certain documents should remain under seal.

Plaintiffs sought leave to file under seal because counsel for the Xcel Defendants designated certain documents as confidential. The documents were referenced as Exhibit C in Plaintiffs' Reply to Xcel Defendants' Opposition to Plaintiffs' Fed. R. Civ. P. 56(d) Motion. *See* Sealed Exhibit (ECF No. 2498). The court instructed the designating party (or parties) to make a particularized showing on or before August 22, 2016. *See* Order (ECF No. 2522). However, no response was filed and the deadline to do so has now expired. The parties were cautioned that if they failed to timely comply with the Order, the Clerk of the Court would be directed to unseal the documents to make them available on the public docket.

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1 Accordingly,

2 **IT IS ORDERED:** the Clerk of the Court shall UNSEAL the Sealed Exhibits (ECF  
3 No. 2498).

4 Dated this 13th day of September, 2016.

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6 PEGGY A. LEEN  
7 UNITED STATES MAGISTRATE JUDGE  
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